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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-516 MMC
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
HONG WEIYAN,)	
)	
)	
Defendant.)	
_____)	

On August 4, 2008, the parties in this case appeared before the Court for the defendant's arraignment. At the arraignment, the parties requested that the Court exclude all time under the Speedy Trial Act from August 4, 2008 through August 27, 2008, because the parties in this case needed additional time to finalize a plea agreement. The parties agree that the length of the continuance is the reasonable time necessary for preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice served by granting such a

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. § 3161(h)(8)(A).

3
4 SO STIPULATED:

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7
8 DATED: August 6, 2008

/s/
9 TAREK J. HELOU
Assistant United States Attorney

10
11 DATED: August 6, 2008

/s/
12 RONALD TYLER
Attorney for Defendant Hong Weiyan

13
14 For the reasons stated above, the Court finds that exclusion of time from August 4, 2008
15 through August 27, 2008 is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial 18 U.S.C. §
17 3161(h)(8)(A). The failure to grant the requested continuance would deny the parties effective
18 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §
19 3161(h)(8)(B)(iv).

20
21 SO ORDERED.

22
23 DATED: _____

24 THE HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge